



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/910,316	07/19/2001	Daniel Puttermann	MEDB.P0001	2016
23349	7590	03/01/2006	EXAMINER	
STATTLER JOHANSEN & ADELI P O BOX 51860 PALO ALTO, CA 94303			SALCE, JASON P	
		ART UNIT	PAPER NUMBER	
		2614		

DATE MAILED: 03/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/910,316	PUTTERMAN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Jason P. Salce	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### **Status**

1) Responsive to communication(s) filed on 27 December 2005.  
 2a) This action is FINAL.                            2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### **Disposition of Claims**

4) Claim(s) 85-101 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 85-101 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### **Application Papers**

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### **Priority under 35 U.S.C. § 119**

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
     1. Certified copies of the priority documents have been received.  
     2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
     3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### **Attachment(s)**

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____ .
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ .	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____ .

## DETAILED ACTION

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/27/2005 has been entered.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 85-87, 93-96 and 100-101 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Iwamura (U.S. Patent No. 5,883,621).

Referring to claim 85, Iwamura discloses a home media system (see Figure 1).

Iwamura also discloses that the home media system includes a network (see Column 3, Lines 20-21 and Figure 1 for IEEE 1394 digital network 10).

Iwamura also discloses that the home media system also comprises an acquisition storage set-top box (see DVCR1 108 in Figure 1), coupled to said network (see DVCR1 108 coupled to the IEEE 1394 network 10 in Figure 1 and further note that

all cables 114-114d are IEEE 1394 compliant), for storing at least one digital data content object (see Figure 10 and Column 8, Lines 18-32 for recording a digital data content object from a DVD to a DVCR1, therefore the DVCR1 acquires and stores a digital data content object stored on a DVD). The examiner also notes that the DVCR1 could also record incoming digital broadcasts from IRD 100.

Iwamura also discloses that the home media system also comprises a control/playback set-top box (see IRD 100 in Figure 1), coupled to said network (see IRD 100 coupled to IEEE 1394 network 10 in Figure 1), comprising a media playback module (see Figure 2a for the main block 208 of IRD 100 comprising OSD (on-screen display shown in the main block 208 in Figure 2b), which allows the viewer to choose the DVCR1 for playing back the digital data content object (see Figure 12 and Column 8, Lines 57-65 for selecting using the OSD)) and a media control module (see PHY 224 and LINK 222 in Figure 2a, which make up the IEEE 1394 bus interface of IRD 100), said media control module for accessing, across said network, at least one digital data content object from said acquisition storage set-top box (see Figure 12, Column 8, Lines 57-65 and Column 4, Lines 41-54 for transferring the digital data content object from the DVCR1 to the IRD 100 through IEEE 1394 network 10), said media playback module (main block 208 in Figure 2a) comprising a decoder for decoding said digital data content object into video signals (see Figure 2b and Column 4, Lines 17-21 for the main block 208 of IRD 100 also containing an MPEG video decoder for decoding said digital data content objects into video signals).

Iwamura also discloses a display device (see TV 102 in Figure 1), coupled to said control/playback set-top box (see Figure 1 for TV 102 coupled to IRD 100), for receiving said video signals and for playing said video (see Column 4, Lines 21-22 for the TV 102 receiving and play the video signals).

Referring to claim 86, Iwamura discloses that said acquisition set-top box further acquires said digital data content object external to said network (see Figure 2a and Column 3, Line 66 through Column 4, Lines 9 for the IRD 100 receiving digital data content objects from a satellite broadcast 200).

Referring to claim 87, Iwamura discloses that the decoder comprises an MPEG decoder (see again MPEG video decoder 326 in Figure 2b).

Referring to claim 93, Iwamura discloses that the home media system further comprises a digital device (see MD recorder 110, DVD Player 106 or DVCR2 112 in Figure 1) for accessing digital data stored on a digital medium (note that any of the digital devices mentioned above acquires digital data from a digital medium, such as a DVD, MD or storage device accessed by DVCR2) and a device interface, coupled to said digital device, for decoding said digital data (note that any of the digital devices mentioned above contain circuitry that decodes the data on the digital medium in order for proper transmission over a 1394 network cable) and for transmitting said digital data one said network (note that of the devices contain IEEE 1394 bus interfaces used to

transmit the digital data content objects over the 1394 network cables). The examiner notes that the interpretation of the additionally digital device and device interface is consistent with the Applicant's specification (see Paragraph 0039).

Referring to claim 94, see the rejection of claim 85 and further note that Iwamura further discloses an MPEG audio decoder 328 in Figure 2b.

Referring to claim 96, see the rejection of claim 86.

Referring to claim 100, see the rejection of claim 93.

Referring to claim 101, see the rejection of claim 85 and further note that the acquisition set-top box also provides control for sending the video signals over the IEEE 1394 network to the IRD 100.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 88-89, 91, 96 and 98 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iwamura (U.S. Patent No. 5,883,621) in view of Mano et al. (U.S. Patent No. 5,793,366).

Referring to claim 88, Iwamura discloses all of the limitations of claim 85, but fails to teach that the acquisition set-top box comprises a personal computer.

Mano discloses that a personal computer can be used in an IEEE 1394 home network system, similar to Iwamura (see computer 18 in Figure 1). The personal computer 18 controls the OSD/GUI (graphical user interface 10), which allows a user to playback media from other digital devices (see Column 4, Lines 35-56).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the control/playback set-top box, as taught by Iwamura, using the personal computer, as taught by Mano, for the purpose of providing a control device and interface that allows the user to control a variety of devices from a common source using a common control interface (see Column 2, Lines 50-52 of Mano).

Referring to claim 89, Iwamura discloses all of the limitations in claim 85, as well as circuitry to process the video signals (see Figure 2b), but is silent about the control/playback set-top box comprises a frame buffer.

Mano discloses that the circuitry used to produce the OSD/GUI contains a video memory 403 (frame buffer) in Figure 5 and Column 8, Lines 1-23.

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the control/playback set-top box, as taught by Iwamura, using the video memory 403, as taught by Mano, for the purpose of increasing the processing performance of the home network system.

Referring to claim 91, see the rejection of claim 88, and further note that Mano discloses that the personal computer organizes a plurality of digital data content objects stored on said acquisition storage set-top box (see Figures 1 and 3 and Column 7, Lines 15-34 for the personal computer generating a GUI, which can access and organize/edit the data stored on a DVCR 30 or the digital camcorder 40). Also note Column 4, Lines 20-22 for the GUI being able to control all of the devices.

Referring to claim 96, see the rejection of claim 88.

Referring to claim 98, see the rejection of claim 91.

4. Claims 90 and 97 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iwamura (U.S. Patent No. 5,883,621) in view of Dara-Abrams et al. (U.S. Patent No. 6,826, 512).

Referring to claim 90, Iwamura discloses all of the limitations of claim 85, but fails to teach that the home media system further comprises a PDA for receiving user input to control said control/playback set-top box.

Dara-Abrams discloses a gateway device 14, which can be a PDA (see Column 3, Lines 53-56) in a home media system (see Figure 2), which controls audio/video content to be transferred between multiple electronic devices 30, which includes a control/playback set-top box (see set-top box 58 in Figure 2).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the home media system, as taught by Iwamura, to utilize the PDA/gateway device, as taught by Dara-Abrams, for the purpose of providing a diversity of additional different consumer electronic devices commonly found in the average home (see Column 1, Lines 15-16 of Dara-Abrams).

Referring to claim 97, see the rejection of claim 90.

5. Claims 92 and 99 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iwamura (U.S. Patent No. 5,883,621) in view of Humpleman et al. (U.S. Patent No. 6,182,094).

Referring to claim 92, Iwamura discloses all of the limitations in claim 85, but fails to teach that the control/playback set-top box identifies said user and restricts access to digital content objects based on said user.

Humpleman discloses identifying a user and restricting access to digital data content objects based on said user (see Column 20, Lines 52-56).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the home network IRD 100, as taught by Iwamura, to

include the security mechanism, taught by Humpleman, for the purpose of avoiding potential security access issues (see Column 20, Lines 52-53 of Humpleman).

Referring to claim 99, see the rejection of claim 92.

### ***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason P. Salce whose telephone number is (571) 272-7301. The examiner can normally be reached on M-F 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (571) 272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jason P Salce  
Patent Examiner  
Art Unit 2614

February 23, 2006

